Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Original) An engine torque control apparatus for controlling an output torque of an engine which is connected to a vehicle transmission, comprising:

a temperature sensor for detecting a temperature of oil supplied to the transmission; and

a controller for limiting the output torque of the engine to an engine torque limit or less, the controller being linked to the temperature sensor;

wherein the controller functions to:

compare the oil temperature with a predetermined temperature;

set the engine torque limit to a first limiting value when the oil temperature is equal to or lower than the predetermined temperature;

and

reduce the engine torque limit at a predetermined reduction rate when the oil temperature is higher than the predetermined temperature.

2. (Original) The engine torque control apparatus as defined in Claim 1, wherein the controller functions to reduce the engine torque limit stepwise in every predetermined time when the temperature is higher than the predetermined temperature.

3. (Original) The engine torque control apparatus as defined in Claim 1, wherein the controller functions to stop reducing the engine torque limit when the engine torque limit reaches a second limiting value, the second limiting value being a maximum torque which can be transmitted by the transmission.

4. (Original) The engine torque control apparatus as defined in Claim 1, wherein the controller functions to set the engine torque limit to a target engine torque as soon as the oil temperature exceeds the predetermined temperature and subsequently reduces the engine torque limit at the predetermined reduction rate.

5. (Original) The engine torque control apparatus as defined in Claim 1, wherein the first limiting value is higher than a maximum output torque of the engine.

6. (Original) The engine torque control apparatus as defined in Claim 1, further comprising a sensor for detecting a vehicle speed,

wherein the controller increases the value of a predetermined reduction rate in accordance with increases in the detected vehicle speed.

7. (Currently Amended) The engine torque control apparatus as defined in Claim 1, wherein the predetermined temperature ~~dependents~~ depends upon the oil type.

8. (Original) The engine torque control apparatus as defined in Claim 1, wherein the controller comprises a microcomputer coupled to the temperature sensor, a fuel injection device for injecting fuel into the engine, a throttle valve for controlling an amount of intake air into the engine, and an ignition device for igniting the fuel, and

the controller limits the engine torque to or below the engine torque limit by adjusting at least one of a fuel injection amount of the fuel injection device, an opening of the throttle valve, and an ignition timing of the ignition device.

9. (Currently Amended) A control method for controlling an output torque of an engine which is connected to a vehicle transmission, comprising the steps of:

detecting a temperature of oil supplied to the transmission;

comparing the oil temperature with a predetermined temperature;

setting the engine torque limit to a first limiting value when the oil temperature is equal to or lower than the predetermined temperature; and

reducing the engine torque limit at a predetermined reduction rate when the oil temperature is higher than the predetermined temperature~~; and~~ .

10. (Original) An engine torque control apparatus for controlling an output torque of an engine which is connected to a vehicle transmission, comprising:

means for detecting a temperature of oil supplied to the transmission;

means for comparing the oil temperature with a predetermined temperature;

means for setting the engine torque limit to a first limiting value when the oil temperature is equal to or lower than the predetermined temperature;

means for reducing the engine torque limit at a predetermined reduction rate when the oil temperature is higher than the predetermined temperature.